

Memorandum

To: Chair and Commissioners

Date: April 13, 2007

From: JOHN F. BARNA, JR.
Executive Director

File: Book Item 4.3
Information

**Ref.: PRESENTATION OF THE DRAFT FY 2006-07 ENVIRONMENTAL
ENHANCEMENT AND MITIGATION (EEM) PROGRAM TO PROGRAM
REMAINING AVAILABLE FUNDING**

Under Streets and Highways Code Section 164.56(e) the California Transportation Commission (Commission) is charged with the responsibility of funding an annual Environmental Enhancement and Mitigation (EEM) Program as scored and prioritized by the State Resources Agency in accordance with the funding level provided in the State Budget Act.

ISSUE:

The Fiscal Year 2006-07 State Budget provided \$10 million for the EEM Program. The EEM Program is a statutorily mandated program typically funded at a minimum of \$10 million a year.

At its March 2007 meeting, the Commission adopted an initial list of projects submitted by the State Resources Agency to fund twenty-eight (28) projects totaling \$6.6 million. At that time, the State Resources Agency indicated that additional project applications had been submitted and were being evaluated, and that the remaining list of projects would be brought back to the Commission for approval to program the remaining \$3.4 million in available funding.

The State Resources Agency has completed its evaluation of the projects submitted, and has provided the Commission with a list of projects to be programmed with the remaining available funds. Each agency that is being recommended for funding must provide evidence of environmental clearance prior to adoption and allocation at the June Commission meeting or they would be subject to removal from the list.

In accordance with the provisions of Section 187 and 188 of the Streets and Highway Code, an attempt is made to allocate 40% of the total amount recommended to projects in the northern counties and 60% of the total amount to projects in southern counties. The southern counties did not express much interest in this funding cycle, and the majority of the projects submitted were received from northern counties. The total split for FY 2006-07, including the initial project list approved at the March 2007 meeting and the recommended project list attached, is 39% to southern counties and 61% to northern counties.

Background

Under EEM statutes, the Resources Agency is responsible for developing and adopting procedures and criteria; evaluating grant proposals; submitting a list of ranked projects recommended for funding; and finding that the projects are eligible for funding under Article XIX of the State Constitution. The Resources Agency's procedures and criteria contain a detailed, quantitative scoring mechanism that is used to evaluate and rank projects in priority order by assigning point scores to each project.

The EEM Program is designed to undertake "environmental enhancement and mitigation projects that are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction, or expansion of new transportation facilities". EEM projects must provide environmental enhancements and mitigation over and above what is otherwise called for under the California Environmental Quality Act (CEQA) of 1970 or the National Environmental Policy Act (NEPA) of 1969.

The general categories of EEM projects eligible for funding are:

- Highway Landscape and Urban Forestry projects designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants. Projects may be within or outside the right-of-way of the related transportation facility. Projects within the right-of-way, however, are not intended to supplant or augment highway landscaping that would normally be funded by the responsible public agency. Any planting within public road rights-of-way shall be limited to trees only.
- Resource Lands acquisition, restoration or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way, acquired for proposed transportation improvements. Resource lands include natural areas, wetlands, forests, woodlands, meadows, streams, or other areas containing fish or wildlife habitat. Enhancement of resource lands may include the restoration of wildlife corridors.
- Roadside Recreational acquisition and/or development of roadside recreational opportunities, including roadside rests, scenic overlooks, trails, trailheads, sno-parks, and parks.

Any local, state or federal agency or nonprofit entity may apply for and receive grants under the EEM Program. The applicant is not required to be a transportation organization but must be able to demonstrate adequate charter or enabling authority to carry out the type of project proposed. Two or more entities may participate in a joint project.

Attachments

ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM
DRAFT FISCAL YEAR 2006-07 PROJECT LIST TO PROGRAMMING REMAINING FUNDING

Projects Recommended for Funding - Priority Order

APP ID			APPLICANT	PROJECT NAME	TOTAL PROJECT VALUE	GRANT AMOUNT	TOTAL SCORE
CAT	Project #	NEW #					
Southern Counties							
HLU	EEM-2006(029)	1003	North East Trees	LA River Greenway: Headworks to Polywog Pond	\$235,600	\$225,000	86.0
				Totals	\$235,600	\$225,000	
Northern Counties							
RL	EEM-2006(033)	3007	Department of Fish and Game	Sonoma Creek/Bisso Ranch Acquisition	\$100,000	\$100,000	85.4
RR	EEM-2006(048)	2018	Department of Parks and Recreation	Geary Ranch Road to Trail Conversion: Annadel State Park	\$275,000	\$250,000	80.0
RR	EEM-2006(049)	2021	Department of Parks and Recreation	Smithe Redwoods State Reserve RR	\$44,901	\$44,901	79.0
RL	EEM-2006(050)	3002	San Joaquin Council of Governments	Elworthy Property Conservation Easement	\$515,250	\$250,000	78.9
RR	EEM-2006(051)	2026	California Wildlife Foundation	Salmon Viewing Plaza	\$364,900	\$312,500	78.5
HLU	EEM-2006(052)	1005	Fresno Metropolitan Flood Control District	Basin "S" Landscaping	\$170,000	\$127,446	78.0
RR	EEM-2006(053)	2007	Port of San Francisco	Tular Park Shoreline Access	\$500,000	\$275,000	78.0
RR	EEM-2006(054)	2013	Sacramento County	Sacramento Northern Bikeway Extension	\$1,854,000	\$250,000	77.0
HLU	EEM-2006(055)	1020	Brentwood City	Sand Creek Road	\$568,577	\$255,000	74.5
RR	EEM-2006(056)	2028	Clovis City	Valley Nature Education Center	\$524,600	\$275,000	74.5
RL	EEM-2006(057)	3009	Santa Rosa City	Prince Memorial Greenway - Pierson Ranch Restoration	\$9,000,000	\$218,750	73.9
HLU	EEM-2006(058)	1025	Mariposa County Fair	Mariposa Fairgrounds Landscape Enhancements	\$260,000	\$196,000	73.5
RR	EEM-2006(059)	2010	Sacramento City, Dept. of Parks & Rec.	University Park RR Improvement	\$200,690	\$175,000	71.0
RL	EEM-2006(060)	3019	Coastal Conservation & Research Inc	Restoring Natural Water Systems	\$275,000	\$275,000	68.4
RR	EEM-2006(061)	2003	Morgan Hill City, Department of Public Works	Butterfield Linear Park Extension	\$225,000	\$175,000	67.5
				Totals	\$14,877,918	\$3,179,597	
				Grand Total	\$15,113,518	\$3,404,597	